

## Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 12 and 18 have been amended. No claims have been added or canceled. Thus, claims 1 and 3-20 are pending.

### CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 1, 3, 4, 6-10, 12-14 and 16-19 were rejected as being unpatentable over U.S. Patent No. 5,953,314 issued to Ganmukhi, et al (*Ganmukhi*) in view of U.S. Patent No. 5,802,047 issued to Kinoshita (*Kinoshita*) and further in view of U.S. Patent No. 6,442,135 issued to Ofek (*Ofek*). For at least the reasons set forth below, Applicants submit that claims 1, 3, 4, 6-10, 12-14 and 16-19 are not rendered obvious by *Ganmukhi*, *Kinoshita* and *Ofek*.

Claim 1 recites:

... if a forwarding lookup for a packet is unsuccessful the packet is transmitted to multiple communication ports, and wherein the logical network interface enables each control unit to simultaneously manage each of the physical communication ports.

Similarly, claim 12 recites:

performing a lookup operation for a destination port corresponding to a received packet; and  
forwarding the packet to each of the physical data communication ports if the lookup operation is unsuccessful.

Thus, Applicants claim sending a packet to multiple ports if a forwarding lookup is unsuccessful. Claim 18 recites similar limitations.

*Ganmukhi* discloses a control processor switchover for a telecommunications switch. *Kinoshita* discloses an inter-LAN connecting device with a combination of routing and switching functions. *Ofek* discloses a method for delay monitoring, policing, and billing data packet traffic in a packet switching network. Neither *Ganmukhi* nor *Kinoshita* nor *Ofek* discloses sending a packet to multiple ports if a forwarding lookup is unsuccessful. Therefore, no combination of *Ganmukhi*, *Kinoshita* and *Ofek* can teach or suggest the invention as claimed in claims 1, 12 and 18.

Claims 3, 4 and 6-10 depend from claim 1. Claims 13, 14, 16 and 17 depend from claim 12. Claim 19 depends from claim 18. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 3, 4, 6-10, 13, 14, 16, 17 and 19 are not rendered obvious by combination of *Ganmukhi*, *Kinoshita* and *Ofek* for at least the reasons set forth above.

Claims 5 and 15 were rejected as being unpatentable over *Ganmukhi* in view of *Kinoshita* and further in view of U.S. Patent No. 6,473,421 issued to Tappan (*Tappan*). The Office Action states that *Tappan* discloses a switching system that uses OSPF for routing packets. Whether or not *Tappan* discloses such a system, *Tappan* does not disclose sending a packet to multiple ports if a forwarding lookup is unsuccessful. Therefore, *Tappan* does not cure the deficiencies of *Ganmukhi* and *Kinoshita*. Therefore, no combination of *Ganmukhi*, *Kinoshita*, and *Tappan* can teach or suggest the invention as claimed in claims 5 and 15.

Claim 11 was rejected as being unpatentable over *Ganmukhi* in view of *Kinoshita* and *Ofek* and further in view of U.S. Patent No. 5,481,673 issued to Michelson (*Michelson*). The Office Action states that *Michelson* disclose a switching system

wherein status information is stored in routing tables. Whether or not *Michelson* discloses such a system, *Michelson* does not disclose sending a packet to multiple ports if a forwarding lookup is unsuccessful. Therefore, *Tappan* does not cure the deficiencies of *Ganmukhi*, *Kinoshita* and *Ofek*. Therefore, no combination of *Ganmukhi*, *Kinoshita*, *Ofek* and *Michelson* can teach or suggest the invention as claimed in claim 11.

Claim 20 was rejected as being unpatentable over *Ganmukhi* in view of *Kinoshita* and *Ofek* and further in view of U.S. Patent No. 6,147,996 issued to *Laor* (*Laor*). The Office Action states that *Laor* discloses a switching system that performs layer 2 and layer 3 switching. Whether or not *Laor* discloses such a system, *Laor* does not disclose sending a packet to multiple ports if a forwarding lookup is unsuccessful. Therefore, *Laor* does not cure the deficiencies of *Ganmukhi*, *Kinoshita* and *Ofek*. Therefore, no combination of *Ganmukhi*, *Kinoshita*, *Ofek* and *Laor* can teach or suggest the invention as claimed in claim 20.

#### CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1 and 3-20 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Application No. 09/608,773  
Amendment dated October 29, 2004  
Response to Final Office Action of June 2, 2004

Atty. Docket No. 042390.P8723  
Examiner Odland, David E.  
TC/A.U. 2662

Please charge any shortages and credit any overcharges to our Deposit Account number  
02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Date: Oct 29, 2004

  
Paul A. Mendonsa  
Attorney for Applicant  
Reg. No. 42,879

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(503) 439-8778

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on:

29 OCTOBER 2004  
Date of Deposit  
DEBORAH L. HIGHAM  
Name of Person Mailing Correspondence  
SOLO — 10-29-04  
Signature Date